

Introduced by Senator LOREN B. LEGARDA

**EXPLANATORY NOTE**

According to the Department of Education, of the 150 member-countries of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the Philippines has one of the shortest basic education cycles in the world covering six years of primary education and four years of secondary education. Indeed, among Asian countries which lead in various international measurements tracking competencies in mathematics and science, the Philippines is the lone hold-out for its ten-year basic education cycle.

While some students who study in private schools with grade 7 eventually benefit from a longer 11-year basic education cycle, their counterparts in the public schools are forced to master their lessons in a shorter span of time and possibly contributing to drop-out rates due to lack of interest in schooling. Moreover, the 12-year basic education cycle addresses the need of highschool graduates who opt out of the university system by preparing them for possible technical-vocational education.

It is in this light that this measure seeks to enhance the Philippine basic education system by strengthening its curriculum and increasing the number of years in basic education.

The salient points of the proposed Enhanced Basic Education Act of 2012 are as follows:

- (a) Enhancement of basic education program which will encompass one (1) year of kindergarten education, six (6) years of elementary education, and six (6) years of secondary education. Secondary education includes four (4) years of junior high school and two (2) years of senior high school education;
- (b) Use of regional or native language of learners for kindergarten and the first three years of elementary education, instruction, teaching materials, and assessment;
- (c) Integration of general education curriculum subjects in the secondary education curriculum.

In view of the foregoing, early passage of this bill is earnestly sought.

  
**LOREN LEGARDA**  
Senator

NOV 20 4

SENATE  
S.B. No. 3258

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AN ACT  
ENHANCING THE PHILIPPINE BASIC EDUCATION SYSTEM BY  
STRENGTHENING ITS CURRICULUM AND INCREASING THE NUMBER OF  
YEARS FOR BASIC EDUCATION, APPROPRIATING FUNDS THEREFOR AND  
FOR OTHER PURPOSES

*Be it enacted by the Senate and the House of Representatives of the Philippines in  
Congress assembled:*

1 SECTION 1. *Short Title.* - This Act shall be known as the "Enhanced Basic  
2 Education Act of 2012."

3 SEC. 2. *Declaration of Policy.* - The State recognizes the primacy of basic  
4 education to secure the future of the youth and to achieve the development of our  
5 nation. Article XIV, Section 2 (1) of the 1987 Philippine Constitution provides that  
6 the State shall establish, maintain, and support a complete, adequate, and integrated  
7 system of education relevant to the needs of the people and society.

8 Towards this end, it is hereby declared to be the policy of the State to see to it  
9 that every graduate of basic education shall be an empowered individual who has  
10 learned, through a program that is rooted on sound educational principles and  
11 geared towards excellence, the foundations for learning throughout life, the  
12 competence to engage in work and be productive, the ability to co-exist in fruitful  
13 harmony with local and global communities, the capability to engage in autonomous  
14 critical thinking, and the capacity to transform others and one's self.

15 Critical issues and concerns identified by the Department of Education  
16 (DepEd) in the current ten (10) years basic education cycle serve as the basis in its  
17 quest for the much needed reforms in the basic education system, namely: a)  
18 Students are deprived of adequate instructional time due to the congested  
19 curriculum especially in subjects such as mathematics, languages and sciences that  
20 resulted in low achievement scores of Filipino students in the National Achievement  
21 Test as well as in international tests; b) High school graduates are not adequately  
22 prepared for the world of work because they are too young to legally enter the labor  
23 force, an indication that those who will not go to college would either be  
24 unemployed or vulnerable to exploitative labor practices; c) High school graduates  
25 are not adequately prepared to pursue higher education as they still have to undergo  
26 remedial and high school level classes in colleges and universities; and d) The ten (10)  
27 years basic education cycle hinders the recognition of Filipino professionals abroad

1 by virtue of international agreements and standards requiring twelve (12) years of  
2 basic education for university admission.

3 To attain an internationally competitive basic education system, the State shall  
4 create an enhanced basic education system that is in accord with the nation's heritage  
5 and culture which can generate responsible and productive citizens equipped with  
6 the essential competencies and skills for both life-long learning and employment. To  
7 achieve its purpose, the State shall: a) give every student an opportunity to receive  
8 quality education based on an enhanced and relevant curriculum that is  
9 internationally recognized and comparable; and b) change public perception that  
10 secondary education is just a preparation for college, rather, it should allow one to  
11 take advantage of opportunities for gainful career or employment and/or self-  
12 employment in a rapidly changing and increasing globalized environment.

13 SEC. 3. *Definition of Terms.* - The terms used in this Act are defined as  
14 follows:

15 (a) *Adult Learners* refer to learners aged 25 years old and above who are non-  
16 literates, neo-literates who either have had no access to formal education or  
17 have reverted to illiteracy;

18 (b) *Alternative Learning System* refers to a parallel learning system aimed at  
19 providing a viable alternative to the existing formal educational instruction. It  
20 encompasses both the informal and non-formal sources of knowledge and  
21 skills;

22 (c) *Auxiliary Medium of Instruction* refers to any language other than the  
23 prescribed medium of instruction used to facilitate learning and  
24 understanding of the content and academic language of the subject areas;

25 (d) *Basic Education* refers to the education intended to meet basic learning needs  
26 which lays the foundation on which subsequent learning can be based. It  
27 encompasses kindergarten, elementary and secondary education as well as  
28 alternative learning systems for out-of-school learners and adult learners and  
29 includes education for those with special needs;

30 (e) *Curriculum* refers to a systematic group of experiences or sequences of courses  
31 or subjects required for graduation or certification in each level of education;

32 (f) *Kindergarten Education* refers to the first stage of compulsory formal education  
33 which is composed of one (1) year of preparatory education. The entrance age  
34 to this level is at least five (5) years old;

35 (g) *Elementary Education* refers to the second stage of compulsory formal  
36 education which is composed of six (6) years of elementary education. The  
37 entrance age to this level is typically six (6) years old;

38 (h) *Secondary Education* refers to the third stage of formal education. It consists of  
39 four (4) years of junior high school education and two (2) years senior high  
40 school education. The entrance age to the junior and senior high school levels  
41 are typically twelve (12) and sixteen (16) years old, respectively;

- 1 (i) *Formal Education* refers to the systematic and deliberate process of  
2 hierarchically structured and sequential learning corresponding to the general  
3 concept of kindergarten, elementary and secondary level of schooling. It is  
4 composed of a total of thirteen (13) years of schooling. At the end of each level,  
5 the learner is expected to earn a certification of competency which is required  
6 to enter or advance to the next level;
- 7 (j) *Medium of Instruction* refers to the language used for teaching and learning the  
8 school curriculum;
- 9 (k) *Out-of-School Learners* refers to school-age children and youth who are unable  
10 to avail of the educational opportunities of the formal school system or who  
11 have dropped out of the formal elementary or secondary education;
- 12 (l) *Regional or Native Language* refers to the speech variety prevailing in a region,  
13 area or place; and
- 14 (m) *Education for those with special needs* refers to the provision of educational  
15 services to those with physical, sensorial and intellectual disabilities, including  
16 those with behaviour problems and the gifted and the talented that require  
17 modifications of school practices, curricula, programs, special services and  
18 facilities.

19 **SEC. 4. *Enhanced Basic Education Program.*** - The enhanced basic education  
20 program encompasses one (1) year of kindergarten education, six (6) years of  
21 elementary education, and six (6) years of secondary education. Secondary education  
22 includes four (4) years of junior high school and two (2) years of senior high school  
23 education.

24 At the end of each level, learners are expected to achieve the desired  
25 competencies that will lead to awarding them a certificate of completion that shall  
26 enable them to advance to the next grade level.

27 Basic education shall be delivered in languages understood by the learners as  
28 the language plays a strategic role in shaping the formative years of learners.

29 For kindergarten and the first three years of elementary education, instruction,  
30 teaching materials, and assessment shall be in the regional or native language of the  
31 learners.

32 Students of Filipino nationality enrolled in all types of public schools  
33 operating under the enhanced basic education program shall be free from payment  
34 of tuition and other school fees. Learners of non-Filipino citizenship shall be  
35 required to pay the necessary fees as specified by the DepEd.

36 **SEC. 5. *Curriculum Development.*** - The DepEd shall formulate the design and  
37 details of the enhanced basic education curriculum. To ensure college readiness and  
38 to avoid remedial and duplication of basic education subjects, the DepEd shall  
39 coordinate with the Commission on Higher Education (CHED) and the Technical  
40 Education and Skills Development Authority (TESDA).

41 To achieve an effective enhanced basic education curriculum, DepEd shall  
42 undertake consultations with other national government agencies and other

1 stakeholders including, but not limited to, the Department of Labor and Employment  
2 (DOLE), Professional Regulation Commission (PRC), private and public schools  
3 associations, national student organizations, national teacher organizations, parents-  
4 teachers associations, and the chambers of commerce on matters affecting the  
5 concerned stakeholders.

6 Deped shall adhere to the following standards and principles in developing  
7 the enhanced basic education curriculum;

- 8 a) The curriculum shall be learner-centered, inclusive and developmentally  
9 appropriate;
- 10 b) The curriculum shall be enhanced, decongested and seamless;
- 11 c) The curriculum shall be standard and competency-based;
- 12 d) The curriculum shall be relevant, responsive and research-based. The basic  
13 curriculum must be adapted locally to the language and culture of Filipino  
14 learners including community values in order to aid teachers in planning  
15 lessons which build what the learner already knows;
- 16 e) The curriculum shall be value-driven, culture-responsive and culture-  
17 sensitive;
- 18 f) The curriculum shall be information, communications and technology (ICT)  
19 based. It shall equip graduates with the necessary 21<sup>st</sup> skills which include  
20 information, media and technology skills; learning and innovation skills;  
21 effective communications skills and life and career skills;
- 22 g) The curriculum shall be integrative, contextualized, broad-based and  
23 global.
- 24 h) The curriculum shall use pedagogical approaches that are constructivist,  
25 inquiry-based, reflective, collaborative and integrative;
- 26 i) The curriculum shall have a balanced assessment program that uses  
27 classroom-based traditional and authentic assessment tools which include  
28 implementation of self-assessment (assessment as learning); formative  
29 assessment (assessment for learning); and summative assessment  
30 (assessment of learning). National assessment tools shall be developed and  
31 administered at the end of grades 3, 6, 10 and 12 to determine the level of  
32 learning achievement for every learner;
- 33 j) The curriculum shall adhere to the principles and framework of Mother  
34 Tongue-Based Multilingual Education (MTB-MLE) which starts from  
35 where the learners are and from what they already know, proceeding from  
36 the known to the unknown. There shall be available instructional materials  
37 and capable teachers to implement the MTB-MLE curriculum;
- 38 k) The curriculum shall use the spiral progressive approach to ensure  
39 mastery of knowledge and skills after each level;

1 l) The curriculum shall include co-curricular and community involvement  
2 programs;

3 m) The curriculum shall be flexible enough to enable schools to make  
4 enhancement based on their respective educational and social contexts.

5 SEC. 6. *Curriculum Consultative Committee.* - There shall be created a  
6 curriculum consultative committee, chaired by the DepEd Secretary or his/her duly  
7 authorized representative and with members composed of, but not limited to, a  
8 representative each from CHED, TESDA, DOLE, PRC, Department of Science and  
9 Technology (DOST), Department of Trade and Industry (DTI), National Economic  
10 Development Authority (NEDA), association of private and public schools, teachers  
11 organization, parents-teachers association, elders of the indigenous peoples  
12 communities and the chambers of commerce. The consultative committee shall  
13 oversee the review and evaluation on the implementation of the basic education  
14 curriculum and may recommend to the DepEd the formulation of necessary  
15 refinements in the curriculum.

16 The chairperson and the members of the consultative committee shall not be  
17 entitled to additional compensation in the performance of their function.

18 SEC. 7. *Integration of General Education Curriculum Subjects.* - In addition  
19 to the general education curriculum (GEC) subjects that may hereafter be determined  
20 by the DepEd as part of the new curriculum, subjects mandated by existing laws and  
21 currently being offered in tertiary programs shall be incorporated in the secondary  
22 education curriculum.

23 SEC. 8. *Hiring of Graduates of Science, Mathematics, Statistics and*  
24 *Engineering Courses.* - Notwithstanding the provisions of Sections 26, 27 and 28 of  
25 Republic Act No. 7836, otherwise known as the *Philippine Teachers Professionalization*  
26 *Act of 1994*, the DepEd and private education institutions shall hire graduates of  
27 science, mathematics, statistics, and engineering degree courses to teach in their  
28 specialized subjects in the elementary and secondary education: *Provided*, That they  
29 pass the LET within five (5) years after their date of hiring. *Provided further*, that if  
30 such graduates are willing to teach on part-time basis, the provisions of LET shall no  
31 longer be required.

32 SEC. 9. *Hiring of Graduates of Technical-Vocational Courses.* -  
33 Notwithstanding the provisions of Sections 26, 27 and 28 of Republic Act No. 7836,  
34 the DepEd and private education institutions may hire graduates of technical-  
35 vocational courses to teach in their specialized subjects in the secondary education:  
36 *Provided*, That these graduates possess the necessary certification issued by TESDA:  
37 *Provided, further*, That they undergo appropriate in-service trainings to be  
38 administered by DepEd.

39 SEC. 10. *Hiring of Higher Education Institution Faculty.* - Notwithstanding  
40 the provisions of Sections 26, 27 and 28 of Republic Act No. 7836, the faculty of  
41 higher education institutions (HEIs) shall be allowed to teach general education  
42 subjects in the secondary education: *Provided*, That the faculty must be a holder of a  
43 relevant Masters degree: *Provided, further*, That the faculty must have satisfactorily  
44 served for at least five (5) years of full-time service as such faculty.

1           SEC. 11. *Career Guidance and Counselling Advocacy.* - To properly guide the  
2 students in choosing the career tracks that they intend to pursue, the DepEd, in  
3 coordination with DOLE, TESDA and CHED, shall regularly conduct career  
4 advocacy activities for secondary level students. Notwithstanding the provisions of  
5 Section 27 of Republic Act No. 9258, otherwise known as the *Guidance and Counseling*  
6 *Act of 2004*, career and employment guidance counsellors, who are not registered and  
7 licensed guidance counsellors, shall be allowed to conduct career advocacy activities  
8 to secondary level students of the school where they are currently employed.

9           SEC. 12. *Expansion of E-GASTPE Beneficiaries.* - The benefits accorded by  
10 Republic Act No. 8545, or the *Expanded Government Assistance for Students and Teachers*  
11 *in the Private Education Act*, shall be extended to the poor but deserving students  
12 enrolled under the enhanced basic education.

13           SEC. 13. *Appropriations.* - The Secretary of Education shall immediately  
14 include in the Department's program the operationalization of the enhanced basic  
15 education program, the initial funding of which shall be charged against the current  
16 appropriations of the DepEd. Thereafter, the amount necessary for the continued  
17 implementation of the enhanced basic education program shall be included in the  
18 annual General Appropriations Act.

19           SEC. 14. *Transitory Provisions.* - The DepEd, CHED and TESDA shall  
20 formulate the appropriate strategies and mechanisms needed to ensure smooth  
21 transition from the existing ten (10) years basic education cycle to the enhanced basic  
22 education (K to 12) cycle. The strategies may cover changes in physical  
23 infrastructure, manpower, organizational and structural concerns.

24           Modelling for senior high school may be implemented in selected schools to  
25 simulate the transition process and provide concrete data for the transition plan.

26           To manage the initial implementation of the enhanced basic education and the  
27 expected low enrolment turnout for HEIs for School Years 2016-2018, the DepEd  
28 shall engage in partnerships with HEIs for the utilization of the latter's human and  
29 physical resources. The faculty of HEIs allowed to teach students of secondary  
30 education under Section 10 hereof, shall be given priority in hiring for the duration of  
31 the transition period. For this purpose, the transition period shall be reckoned from  
32 the date of the effectivity of this Act until the end of School Year 2017-2018.

33           SEC. 15. *Implementing Rules and Regulations.* - Within ninety (90) days after  
34 the effectivity of this Act, the DepEd Secretary, CHED Chairperson and TESDA  
35 Director-General shall promulgate the rules and regulations needed for the  
36 implementation of this Act.

37           SEC. 16. *Separability Clause.* - If any provision of this Act is held invalid or  
38 unconstitutional, the same shall not affect the validity and effectivity of the other  
39 provisions hereof.

40           SEC. 17. *Repealing Clause.* - Pertinent provisions of Batas Pambansa Blg. 232  
41 or the *Education Act of 1982*, Republic Act No. 9155 or the *Governance of Basic*  
42 *Education Act of 2001*, Republic Act No. 9258, Republic Act No. 8545, Republic Act No.  
43 7836, Republic Act No. 1425 or the *Inclusion in the College Curricula the Life, Works and*  
44 *Writings of Jose Rizal*, and all other laws, decrees, executive orders and rules and  
45 regulations contrary to or inconsistent with the provisions of this Act are hereby

1 repealed or modified accordingly.

2           SEC. 18. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after  
3 its publication in at least two (2) newspapers of general circulation.

4           Approved,